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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

LORRY WAGNER, On Behalf of Himself and  
 All Others Similarly Situated,

Plaintiff,

vs.

LOUDCLOUD, INC., GOLDMAN SACHS &  
 CO., MORGAN STANLEY & CO. INC.,  
 THOMAS WEISEL PARTNERS LLC, EPOCH  
 SECURITIES, INC., ALLEN & COMPANY  
 INC., CIBC WORLD MARKETS CORP.,  
 DAIN RAUSCHER INCORPORATED,  
 RAYMOND JAMES & ASSOCIATES, INC.,  
 ROBERTSON STEPHENS, INC., WIT  
 SOUNDVIEW CORP., MARC L.  
 ANDREESSEN, BENJAMIN A. HOROWITZ,  
 RODERICK M. SHERWOOD III, WILLIAM  
 V. CAMPBELL, MICHAEL S. OVITZ and  
 ANDREW S. RACHLEFF,

Defendants.

No. C-01-3951-JL

CLASS ACTION

NOTICE OF RELATED CASE

*Molholt v. Loudcloud, Inc., et al.,*

No. C-01-20919-JF

TO: THE COURT AND ALL PARTIES OF RECORD

Pursuant to Local Rule 3-12, plaintiff hereby gives notice of the following related action now pending in the Northern District:

<u>Case Name</u>	<u>Case No.</u>	<u>Filing Date</u>
<i>Molholt v. Loudcloud, Inc., et al.</i>	C-01-20919-JF	09/28/01

The above action appears to arise from the same or substantially identical transactions, happenings or events, and calls for determination of the same or substantially identical questions of law and fact.

This action is alleged as a class action and asserts claims for alleged violation of the federal securities laws.

WHEREFORE, plaintiff requests:

- That this action, *Wagner v. Loudcloud, Inc., et al.*, be assigned to the Honorable Jeremy Fogel, the Judge assigned to the low-numbered action, *Molholt v. Loudcloud, Inc., et al.*; and
- That all subsequent related actions be assigned to the Honorable Jeremy Fogel.

DATED: October 25, 2001

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Attorneys for Plaintiff

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DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Diego, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is 600 West Broadway, Suite 1800, San Diego, California 92101.

2. That on October 25, 2001, declarant served the NOTICE OF RELATED CASE by depositing a true copy thereof in a United States mailbox at San Diego, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 25th day of October, 2001, at San Diego, California.

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CORINNE N. SWEAT